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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Kazuhiro Ogura

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05/22/2006

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EXAMINER

BOVEJA, NAMRATA

ART UNIT

PAPER NUMBER

3622

DATE MAILED: 05/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/845,258

Applicant(s)

OGURA ET AL.

Examiner

Namrata Boveja

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16, 23 and 26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16, 23 and 26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### DETAILED ACTION

1. This office action is in response to communication filed on 03/03/2006.
2. Claims 17-22, 24, 25, 27, and 28 have been cancelled by the Applicant. Claims 1-16, 23, and 26 are presented for examination.
3. Amendments to claims 1-16, 23, and 26 and the specification have been considered.

### Objections

4. *Applicant has requested to change the title of the invention from Advertisement System to "Advertisement System on a Digital Copying Machine." This is objected to, since the specification does not provide sufficient written description to support the title change for the digital copying machine.*

### Claim Rejections - 35 USC § 112

5. *The following is a quotation of the first paragraph of 35 U.S.C. 112:*

*The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.*

*Claims 1-16, 23, and 26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contain subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, claims 1-16, 23, and 26 recite "a digital copying machine." It is not defined in the specification what is the meaning of said "digital copying machine." The specification merely states that "a digital copying machine" is a common*

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*advertisement apparatus that has an LCD display that is a component of an advertisement system as exemplified in Figure 1 (see Applicant specification pages 12 and 13). It is interpreted to mean that the function of this "digital copy machine" is just to provide an LCD display as can be equally accomplished with a computer monitor, since no "printing" functionality is claimed. Appropriate correction is required.*

6. *The second paragraph of 35 U.S.C. 112 is directed to requirements for the claims:*

*The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.*

*There are two separate requirements set forth in this paragraph:*

*(A) the claims must set forth the subject matter that applicants regard as their invention; and*

*(B) the claims must particularly point out and distinctly define the metes and bounds of the subject matter that will be protected by the patent grant.*

*Claims 1-16, 23, and 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claiming the subject matter which applicant regards as the invention.*

*Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to redefine that claim term. Process Control Corp. v. HydReclaim Corp., 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term "digital copying machine" in claims 1-16, 23, and 26 is used by the claims to mean at least "a system that has a mail button for sending e-mails, an input device for entering an e-mail message, a mail transmission device, a memory for storing bookmarks, a*

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*display means for displaying advertisements, and an interface”, while the accepted meaning of a “digital copy machine” is “a copy machine that duplicates the image to be copied by scanning the original into a digital memory and printing from the memory” by Answers.com (www.answers.com/topic/digital-copy-machine). The term is indefinite because the specification does not clearly redefine the term. The term is interpreted to mean an advertising system as consistent with the remaining specification, since the advertising system performs the same steps that the applicant is stating are performed by the digital copying machine.*

**Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 2, 4-7, 9, and 23 are rejected under 102(b) as being anticipated by the recommend-it.com website from May 30, 1998 ([webarchive.org/web/19980610011812/recommend-it.com/html/sample.html](http://webarchive.org/web/19980610011812/recommend-it.com/html/sample.html)), hereinafter recommend-it.com.

In reference to claims 1 and 23, recommend-it.com discloses *a digital copying machine (i.e. an advertisement method and system), comprising: displaying the advertisement of merchandise on a display device of the digital copying machine (i.e. the e-mail message being composed is displayed on a*

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*computer screen and the link in the message when clicked will also display the contents behind that link on a computer screen*) (page 4 lines 1-17); designating *through an interface of the digital copying machine*, to transmit, an e-mail message, *that includes* information related to the piece of merchandise of the advertisement displayed on *the display device of the digital copying machine* (page 1 lines 18-22, page 2 lines 1-13 of the left frame and lines 1-8 of the form, and page 4 lines 1-17); designating, *through an interface of the digital copying machine*, a recipient of the e-mail message for which transmission is designated (page 2 lines 4 and 5 of the form and page 4 line 2); when transmission of the e-mail message is designated in the first step, transmitting the e-mail message having the information of the piece of merchandise (page 2 lines 8 and page 4 lines 1-17), including link information linked with a site on the Internet where the piece of merchandise is on sale, *from the digital copying machine* (page 4 lines 7-10) to the recipient designated in the second step, the link information containing information representing a presenter of the piece of merchandise (page 4 lines 7-17).

8. In reference to claim 2, recommend-it.com teaches *a digital copying machine*, (i.e. an advertisement system) further *comprising* a connection device *that is* connected to a network (i.e. Internet access is required for sending an e-mail) (page 2 lines 1-8 of form, page 4 lines 1-17), *wherein* said mail transmission device has a function of connecting to the network and transmits the e-mail message having the information of the piece of merchandise (page 2 lines 1, 7, and 8 of the form and page 4 lines 1-17), including the link information

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linked with the site on the Internet where the piece of merchandise is on sale (page 4 lines 7-10), to a mail address on the network (page 2 lines 1-35 of the side bar and lines 4 of the form and page 4 line 2), which is input by said input device (page 2 lines 20-35 of the side bar and lines 2-7 of the form).

9. In reference to claim 4, recommend-it.com teaches *a digital copying machine, (i.e. an advertisement system), further comprising a memory in which an address capable of receiving an e-mail message is registered in advance for each user (i.e. registered users have access to this service) (page 2, lines 28-40 of the left frame), wherein* said input device causes a user to select an address to which the e-mail message is to be transmitted from a list of users registered in said memory in advance (i.e. group and last five features) (page 2, lines 28-35 of the left frame).

10. In reference to claim 5, recommend-it.com teaches *a digital copying machine, (i.e. an advertisement system), further comprising a memory that stores, as a transmission log, an address for an e-mail message transmitted by said mail transmission device (page 2, lines 28-40 of the left frame), wherein* said input device causes a user to select an address to which the e-mail message is to be transmitted from a list of transmission logs registered in said memory (i.e. last five features) (page 2, lines 28-35 of the left frame).

11. In reference to claim 6, recommend-it.com teaches *a digital copying machine, (i.e. an advertisement system), further comprising a memory that stores a plurality of types of forms (i.e. a different form for each website that is recommended customized with the URL of that website) (page 2 line 1 of the*

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form) of an e-mail message to be transmitted by said mail transmission device, *wherein* input device causes a user to select a form (i.e. for the website the user wants to recommend) of the e-mail message to be transmitted from the forms stored in said memory (page 2 lines 1-8 of the form), and said mail transmission device generates the e-mail message having the information of the piece of merchandise including the link information linked with the site on the Internet where the piece of merchandise is on sale (page 4 lines 7-17), using the form selected by said input device and transmits the e-mail message (page 2 lines 1-8 of the form and the Recommend-It!! button on line 8 of the form).

12. In reference to claim 7, recommend-it.com teaches a *digital copying machine*, (i.e. an advertisement system), wherein said memory stores at least a form for requesting a buyer (i.e. the user can also be the buyer) who has an authority for purchase to purchase the piece of merchandise as one of the forms, and when the form for requesting purchase of the piece of merchandise is selected by said input device (page 2 lines 1-8 of the form), said mail transmission device transmits the e-mail message (page 2 line 8 of the form and the button Recommend-It!! in the form) having the information of the piece of merchandise (page 4 lines 7-17) wherein said memory stores at least a form for requesting a buyer who has an authority for purchase to purchase the piece of merchandise as one of the forms, and when the form for requesting purchase of the piece of merchandise is selected by said input device (page 2 line 8 of the form and the button Recommend-It!! in the form), said mail transmission device



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transmits the e-mail message having the information of the piece of merchandise (page 4 lines 7-17).

13. In reference to claim 9, recommend-it.com teaches a *digital copying machine*, (*i.e.* an advertisement system), wherein the link information contains information representing a presenter of the piece of merchandise (*i.e.* the advertiser) (page 4 lines 7-17).

14. Claims 10-12, 15, 16, and 26, are rejected under 102(b) as being anticipated by the America Online Tour Guide Version 3 published in 1996 hereinafter AOL guide.

In reference to claim 10, the AOL guide teaches a *digital copying machine*, (*i.e.* an advertisement system), comprising: a display device *that displays* the advertisement of merchandise (page 79 Figure 3-11) (*i.e.* e-mail viewable on a monitor); a memory *that stores*, as a bookmark, information related to the piece of merchandise displayed by said *display* device (page 78 lines 8-14, page 127 lines 23 to page 129 lines 3, and Figure 4-7) (*i.e.* the heart icon bookmarks a favorite page and stores it in a browser); a registration button (*i.e.* the heart icon) *that instructs the digital copying machine to register* the information related to the piece of merchandise as the bookmark *in said memory* when the advertisement of the piece of merchandise is being displayed on said *display* device (page 78 lines 8-14, page 127 lines 23 to page 129 lines 3, and Figure 4-7) (*i.e.* the AOL guide is generic regarding the content of the websites that are bookmarked and includes websites that can have advertisements on them as well); and a *transmitter (i.e. a server that transmits information) that*, upon being accessed

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from an external device, *transmits* the information related to the piece of merchandise registered in said memory as the bookmark to the external device as data displayable on the external device, the data displayable on the external device containing link information linked with a site on the Internet where the piece of merchandise is on sale (i.e. add the heart icon for a favorite site link to an e-mail message) (page 78 lines 1-17).

15. In reference to claim 11, the AOL guide teaches a *digital copying machine wherein the link information* contains information representing a presenter of the piece of merchandise (i.e. the advertiser) (page 78 lines 1-17).

16. In reference to claim 12, the AOL guide teaches a *digital copying machine, (i.e. an advertisement system)*, wherein said *transmitter (i.e. a server that transmits information)* has a function of connecting to a network and is accessed from the external device through the network (i.e. Internet access is required to send e-mail messages and links) (page 78 lines 1-17 and Figure 3-11).

17. In reference to claims 15 and 16, the AOL guide teaches a *digital copying machine, (i.e. an advertisement system)*, wherein said memory stores the information related to the piece of merchandise as the bookmark in units *digital copying machines capable of displaying advertisements of merchandise*, (i.e. bookmarks associated with a computer which can also be associated with a user) and units of users (i.e. bookmarks associated with a particular user), and for a user who has accessed said *digital copying machine* by the external device (i.e. the user logs in and can view his bookmarks and can send these bookmarks to others) (page 78 lines 8-14), said *transmitter (i.e. a server that transmits*

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*information*) transmits the information related to the piece of merchandise registered as the bookmark corresponding to said *digital copying machine* to the external device as the data displayable on the external device (i.e. an e-mail with a hyperlink) (page 78 lines 8-14 and Figure 4-7).

18. In reference to claim 26, the AOL guide teaches an advertisement method of providing an advertisement of merchandise *operable on a digital copying machine (i.e. an advertising system) that provides an advertisement of merchandise to be sold on the Internet, comprising: displaying the advertisement of merchandise on a display device of the digital copying machine (page 79 Figure 3-11) (i.e. e-mail viewable on a monitor)*, storing, as a bookmark, information related to the piece of merchandise displayed on *the display device in a memory of the digital copying machine; and* (page 78 lines 8-14, page 127 lines 23 to page 129 lines 3, and Figure 4-7) (i.e. the heart icon bookmarks a favorite page and stores it in a browser); in accordance with an access from an external device, transmitting the information related to the piece of merchandise registered in the memory as the bookmark *from the digital copying machine* to the external device as data displayable on the external device (i.e. add the heart icon for a favorite site link to an e-mail message) (page 78 lines 1-17), the data displayable on the external device containing link information linked with a site on the Internet where the piece of merchandise is on sale, and the link information containing information representing a presenter of the piece of merchandise (i.e. the AOL guide is generic regarding the content of the websites that are

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bookmarked and includes websites that can have advertisements on them as well) (page 78 lines 1-17).

**Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 3 and 8 are rejected under U.S.C. 103(a) as being unpatentable over recommend-it.com in view of Official Notice.

In reference to claims 3, recommend-it.com teaches *a digital copying machine, (i.e. an advertisement system)*, that transmits the e-mail message having the information of the piece of merchandise (page 2 lines 1-13 of the left frame and lines 1, 7, and 8 of the form and page 4 lines 1-17), including the link information linked with the site on the Internet where the piece of merchandise is on sale (page 4 lines 7-10). Recommend-it.com does not teach the system wherein said mail transmission device *comprises* a radio communication module for performing short-distance radio communication, connects to a portable terminal designated by said input device and connectable by short-distance radio communication to and where the link information is sent to the portable terminal.

Official Notice is taken that it is old and well known for a system to include a radio communication module, since this enables users to communicate wirelessly via a cell phone for example. Official Notice is also taken that is old

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and well known for a system to include sending link information to a portable terminal when the user is using a hand-held device such as a PDA to access information provided online by the WWW server. Furthermore, some type of an Internet connection and a device is required to carry out the recommend-it.com service online. It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to include a radio communication device such as a cell phone connected to a network such as the Internet and the WWW server to enable users to utilize the service of recommending websites as provided by companies such as recommend-it.com wirelessly.

20. In reference to claim 8, recommend-it.com teaches a *digital copying machine, (i.e. an advertisement system)*, wherein said display of the advertisement displayed on said device is set in accordance with a category of the piece of advertised merchandise (i.e. an advertisement for the category of software is displayed) (page 4 lines 7-17). Recommend-it.com does not teach an advertisement system that further comprises a memory and said device that displays the advertisement of the piece of merchandise on the basis of the permission/inhibition of display set in said memory.

Official Notice is taken that is old and well known for a system to include the permission/inhibition of display of the advertisement for the piece of merchandise on the basis of permission/inhibition of the display set in said memory displayed on said device as done in the case of electronic coupons for retailers online where the coupons are displayed for a specific time frame or for specific items (i.e. must be used on that day's, on a current purchase of a

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specific item, or within a certain timeframe). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to include the permission/inhibition of display of the advertisement for the piece of merchandise on the basis of permission/inhibition of the display set in said memory displayed on said device as done in the case of electronic coupons for retailers online where the coupons are displayed for a specific time frame or for specific items to motivate customers to make purchases for specific items (i.e. the manufacturer has extra inventory) or within a specific time frame (i.e. a retailer is offering a holiday sales promotion).

21. Claims 13 and 14 are rejected under U.S.C. 103(a) as being unpatentable over the AOL guide in view of Official Notice.

In reference to claims 13 and 14, the AOL guide teaches *a digital copying machine, (i.e. an advertisement system)*, that transmits the e-mail message having the information of the piece of merchandise, including the link information linked with the site on the Internet where the piece of merchandise is on sale (page 78 lines 8-14 and Figure 4-7). The AOL Guide does not teach the system wherein said mail transmission device is a radio communication module for performing short-distance radio communication and connects to a portable terminal designated by said input device and connectable by short-distance radio communication to and where the link information is sent to the portable terminal.

Official Notice is taken that it is old and well known for a system to include a radio communication module, since this enables users to communicate wirelessly via a cell phone for example. Official Notice is also taken that is old

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and well known for a system to include sending link information to a portable terminal when the user is using a hand-held device such as a PDA to access information provided online by the WWW server. Furthermore, some type of an Internet connection and a device is required to carry out the AOL e-mail and bookmark service online. It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to include a radio communication device such as a cell phone connected to a network such as the Internet and the WWW server to enable users to utilize the service of recommending websites as provided by companies such as AOL wirelessly.

**Response to Arguments**

22. After careful review of Applicant's remarks/arguments filed on 03/03/2006, the Applicant's arguments with respect to claims 1-16, 23, and 26 have been fully considered but they are not persuasive. Amendments to the claims have been entered and considered.

23. While the initially held rejection for claim 15 under 35 U.S.C. § 112, first paragraph, is being removed in view of Applicant amendment to the claim, a new rejection has been made under this statute. In reference to claims 1-16, 23, and 26, Applicant's newly added limitation of "a digital copying machine," is not supported by the specification. It is not defined in the specification what is the meaning of said "digital copying machine." The specification merely states that "a digital copying machine" is a common advertisement apparatus that has an LCD display that is a component of an advertisement system as exemplified in Figure 1 (see Applicant specification pages 12 and 13). It is interpreted to mean

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that the function of this "digital copy machine" is just to provide an LCD display as can be equally accomplished with a computer monitor, since no "printing" functionality is claimed.

24. While the initially held rejection for claims 19, 22, and 25 under 35 U.S.C. § 112, second paragraph, is being removed as a result of Applicant's cancellation of these claims, a new rejection has been under this statute. Specifically, claims 1-16, 23, and 26 are indefinite for failing to particularly point out and distinctly claiming the subject matter which applicant regards as the invention.

Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term "digital copying machine" in claims 1-16, 23, and 26 is used by the claims to mean at least "a system that has a mail button for sending e-mails, an input device for entering an e-mail message, a mail transmission device, a memory for storing bookmarks, a display means for displaying advertisements, and an interface", while the accepted meaning of a "digital copy machine" is "a copy machine that duplicates the image to be copied by scanning the original into a digital memory and printing from the memory" by Answers.com (<http://www.answers.com/topic/digital-copy-machine>). The term is indefinite because the specification does not clearly redefine the term. The term is interpreted to mean an advertising system as



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consistent with the remaining specification, since the advertising system performs the same steps that the applicant is stating are performed by the digital copying machine.

25. In reference to claims 1-16, 23, and 26, Applicant argues that both the recommend-it.com and the AOL Guide references do not disclose or suggest that the system could be implemented on a digital copy machine but rather on a system that employs a PC. The Examiner respectfully disagrees and would like to first point out to the Applicant that in the Applicant specification, the system is consistently referred to as the advertising system as exhibited in Figure 1 and as described on pages 12 and 13. Applicant also recites that a digital copy machine is a component of this advertising system and serves the function of providing a display (i.e. as can easily be done by a computer monitor as well) and does not describe the digital copying machine to be the advertising system itself. Since the prior art references teach the functions recited in the claim steps, the prior art references anticipate the Applicant invention.

Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Applicant's mere allegation that the advertising system is now just a digital copy machine, does not mean that the prior art no longer reads on the claims especially when the prior art meets all the functional steps recited in the claims presented by the Applicant.

Furthermore, there is nothing recited in the claims that discusses any

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"copying" functions that would normally be associated with a copying machine. If there is something unique or novel about the digital copying machine, the Applicant needed to claim those features. Otherwise, a PC is capable of performing the steps indicated in the Applicant claims.

**Conclusion**

26. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**Point of Contact**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namrata (Pinky) Boveja whose telephone number is 571-272-8105. The examiner can normally be reached on Mon-Fri, 8:30 am to 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Eric Stamber can be reached on 571-272-6724. The **Central FAX** phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 1866-217-9197 (toll-free).

NB

May 5<sup>th</sup>, 2006

*Namrata Borja*

*Raquel Alvarez*  
RAQUEL ALVAREZ  
PRIMARY EXAMINER